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Express Mail Label No. EV 912 289 108 US

PATENT APPLICATION  
Docket No: 13914.849.1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Michael L. Olson

Serial No.: 10/770,273

Filing Date: February 2, 2004

Confirmation No.: 9600

For: EXERCISE DEVICE WITH RESISTANCE  
MECHANISM HAVING A PIVOTING ARM AND A  
RESISTANCE MEMBER

Examiner: Lori Baker Amerson

Mail Stop: AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

### TRANSMITTAL FOR RESPONSE TO OFFICE ACTION

Sir:

Transmitted herewith is a Response to Office Action for entry in the above-identified application.

— Small entity status of this application under 37 C.F.R. § 1.9 and § 1.27 has been established by a verified statement previously submitted.

X To render the transmitted Response to Office Action timely filed enclosed are the following:

X Petition for a Two-Month Extension of Time; and

X Credit Card Payment Form 2038 in the amount of \$450.00 to cover the fee for the extension of time.

X A Certificate of Deposit Under 37 C.F.R. § 1.6.

X No other additional fee is required.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.

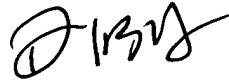
X Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 CFR 1.17.

X A duplicate copy of this transmittal letter is attached.

DATED this 10 day of July, 2006.

Respectfully submitted,

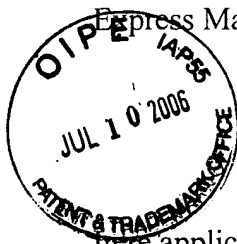


David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166  
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07-12-06

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For:

EXERCISE DEVICE WITH RESISTANCE  
MECHANISM HAVING A PIVOTING ARM AND A  
RESISTANCE MEMBER

Examiner:

Lori Baker Amerson

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to Box: Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 10 July, 2006:

- Transmittal Letter for Response to Office Action (2 pgs.) (in duplicate)
- Response to Office Action (2 pages)
- Terminal Disclaimer (2 pages)
- Petition and Fee for Two-Month Extension of Time (2 pages)
- Credit Card Form PTO-2038 for \$450.00 (1 page)
- Postcard

Respectfully submitted,

Linda Clark, Assistant to  
David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166

**Customer No. 022913**

Telephone No. (801) 533-9800



PATENT APPLICATION  
Docket: 13914.849.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		)
		)
	Michael L. Olson	)
		)
Serial No.:	10/770,273	) Art Unit
		) 3764
Filed:	February 2, 2004	)
		)
Confirmation No.:	9600	)
		)
For:	EXERCISE DEVICE WITH RESISTANCE MECHANISM	)
	HAVING A PIVOTING ARM AND A RESISTANCE	)
	MEMBER	)
		)
Examiner:	Unknown	)

RESPONSE TO OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450


Sir:

Responsive to the Office Action dated February 8, 2006, enclosed herewith for filing is a  
TERMINAL DISCLAIMER in the above-identified patent application. This disclaimer resolves the  
issues addressed by the Examiner in the above-identified Office Action, as suggested by the  
Examiner in paragraph 1 of the action. Application No. 10/340,562 has been patented and  
received Patent No. 6,685,607, as address in the enclosed Terminal Disclaimer.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, Applicants respectfully request that the Examiner contact the undersigned attorney.

Dated this 10 day of July 2006.

Respectfully submitted,



David B. Dellenbach  
Attorney for Applicant  
Registration No. 39,166  
**Customer No. 022913**  
Telephone No. (801) 533-9800

DBD/lrc  
LC0000003280V001